

REMARKS

Examiner Interview

Applicant thanks the Examiner for the courtesy of the telephone interview on June 4, 2007 in which the Examiner and Applicant's counsel discussed the rejection of the pending claims under 35 U.S.C. § 101 in light of the April 12, 2007 memo that clarified the Interim Guidelines for Examination of Patent Applications for Subject Matter Eligibility. No final agreement on the § 101 rejection of the claims was reached.

Rejections

Rejections under 35 U.S.C. § 101

Claims 1-3, 6-10, 13-17, 20-24, 27, and 28

Claims 1-3, 6-10, 13-17, 20-24, 27, and 28 stand rejected under 35 U.S.C. § 101 because the claimed invention is directed to non-statutory subject matter.

Independent claims 1, 8, 15 and 22 recite generating a quantized stream of data by applying a selected finite mixture model to a data stream. Thus, the invention as claimed transforms a data stream into a quantized data stream. Applicant also claims producing finite mixture models from various input data, and further claims that the selected finite mixture model, which is used to generate the quantized stream of data, defines a vector quantized codebook. Quantization of data has many well-known practical applications including, for example, data compression, as stated in *intra alia*, paragraphs 5-6 on pages 1-2 of Applicant's originally filed application. Vector quantized codebooks are well-known as being used to encode data and later to decode the encoded data. The April 12 memo clarifies that a claim must recite a result that has a real world practical use, but does not have to recite any particular use in order for the claim to be statutory subject matter under § 101.

Because generating a quantized data stream and defining a vector quantized codebook are both results that have practical uses, Applicant respectfully submits that the invention as claimed in claims 1-3, 6-10, 13-17, 20-24, 27, and 28 is statutory subject matter, and respectfully request the withdrawal of the rejection of the claims under 35 U.S.C. § 101.

Allowable Subject Matter

Applicant thanks the Examiner for indicating that claims 1-3, 6-10, 13-17, 20-24, 27, and 28 are patentable over the prior art of record pending the resolution of the rejection of the claims under 35 U.S.C. § 101.

SUMMARY

Claims 1-3, 6-10, 13-17, 20-24 and 27-28 are currently pending. In view of the foregoing remarks, Applicant respectfully submits that the pending claims are in condition for allowance. Applicant respectfully requests reconsideration of the application and allowance of the pending claims.

If the Examiner determines the prompt allowance of these claims could be facilitated by a telephone conference, the Examiner is invited to contact Sue Holloway at (408) 720-8300 x3476.

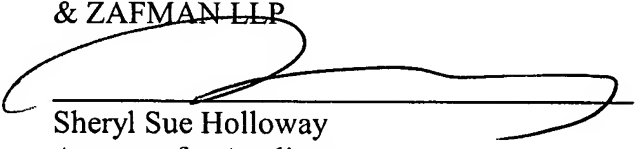
Deposit Account Authorization

Authorization is hereby given to charge our Deposit Account No. 02-2666 for any charges that may be due. Furthermore, if an extension is required, then Applicant hereby requests such extension.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR
& ZAFMAN LLP

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